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10/726,613	12/04/2003	Jaeshin Lee	Q76051	5764
23373 7590 04/14/2009 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER				
FRITZ, BRADFORD F				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/726,613

Applicant(s)

LEE ET AL.

Examiner

BRADFORD F. FRITZ

Art Unit

2441

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 and 27-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 and 27-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, filed 2/04/09, with respect to the rejection(s) of claim(s) 1-25 and 27-30 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Zhao et al. (2003/0191802) and Donohue (6,202,207).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-25 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (2003/0191802), hereinafter referred to as Zhao, in view of Donohue (6,202,207).

4. Regarding claim 1, Zhao disclosed a service-providing server for registering applications for client devices on the intranet (paragraphs 0049-0050 and 0064-0066, Fig. 4), said applications provided from a plurality of service developers through a wired/wireless communication network (paragraphs 0049-0050 and 0064-0066, Fig. 5), and providing an application according to information on the client devices installed in the intranet (paragraphs 0049-0050 and 0064-0066, Fig. 5).

However, Zhao does not explicitly teach a service agent which automatically requests, where said list of registered applications is at a predetermined interval; an application service module which collects information on said client devices on the intranet, wherein the service agent determines a list of collected applications from said list of registered applications based on the collected information on said client devices, the list of collected applications comprising applications which are appropriate for the client devices on said intranet, wherein the selected application is selected from the list of collected applications. Donohue teaches a service agent which automatically requests, where said list of registered applications is at a predetermined interval (column 10, lines 15-45, Fig. 4); an application service module which collects information on said client devices on the intranet (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), wherein the service agent determines a list of collected applications from said list of registered applications based on the collected information on said client devices (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), the list of collected applications comprising applications which are appropriate for the client devices on said intranet (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), wherein the selected application is selected from the list of collected applications (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the features as taught by Donohue in the system of Zhao because both are from the same field of endeavor and in order to automatically obtain, distribute, and install appropriate software updates (see abstract).

5. Regarding claims 2 and 9, Zhao disclosed a service registration module for registering location information on each application provided from the service developers together with meta information (paragraph 0012); and a service search module for searching the list of applications registered in the service registration module and providing search results when an application service module requests to search the applications registered in the service registration module (paragraphs 0049-0050 and 0064-0066, Fig. 4).
6. Regarding claims 3 and 10, Donohue disclosed wherein the location information represents a path for downloading the applications provided from the respective service developers (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4).
7. Regarding claims 4 and 11, Zhao disclosed is application information including a component for operation (paragraphs 0012 and 0055), a type of device used for the operation (paragraphs 0012 and 0055, Fig. 7), a service location and an ID of a service developer (paragraphs 0012 and 0055), said component for operation provided for distinguishing service functions of the applications (paragraphs 0012 and 0055, Fig. 7).
8. Regarding claim 5, Zhao disclosed an application service module for accessing a service-providing server in which applications for client devices on the intranet are registered (paragraphs 0049-0050 and 0064-0066, Fig. 5), said applications provided from a plurality of service developers through a wired/wireless communication network (paragraphs 0049-0050 and 0064-0066, Fig. 5), searching a list of applications (paragraphs 0049-0050 and 0064-0066, Fig. 4), and providing applications,

corresponding to information on the devices installed in the intranet of a user (paragraphs 0049-0050 and 0064-0066, Fig. 5).

However, Zhao does not explicitly teach wherein said application service module automatically requests said list of registered applications from said service providing server, at a predetermined interval, wherein said application service module collects information on said client devices on the intranet; and a service agent which determines a list of collected applications from said list of applications based on the collected information on said client devices, the list of collected applications comprising applications which are appropriate for the client devices on said intranet, wherein the selected application is selected from the list of collected applications. Donohue teaches wherein said application service module automatically requests said list of registered applications from said service providing server, at a predetermined interval (column 10, lines 15-45, Fig. 4), wherein said application service module collects information on said client devices on the intranet (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4); and a service agent which determines a list of collected applications from said list of applications based on the collected information on said client devices (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), the list of collected applications comprising applications which are appropriate for the client devices on said intranet (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), wherein the selected application is selected from the list of collected applications (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4). It would have been obvious to one of ordinary skill in the art at the time of the

invention to include the features as taught by Donohue in the system of Zhao because both are from the same field of endeavor and in order to automatically obtain, distribute, and install appropriate software updates (see abstract).

9. Regarding claims 6 and 12, Zhao disclosed wherein the application service module is a gateway for connecting a computing environment of the intranet with the service-providing server (paragraphs 0049-0050 and 0064-0066, Fig. 7).

10. Regarding claim 8, Zhao disclosed a service-providing server for registering applications for client devices on the intranet (paragraphs 0049-0050 and 0064-0066, Fig. 5), said applications provided from a plurality of service developers through a wired/wireless communication network (paragraphs 0049-0050 and 0064-0066, Fig. 5), and providing a selected application (paragraphs 0049-0050 and 0064-0066, Fig. 4); and an application service module for searching a list of applications registered in the service-providing server and providing an application (paragraphs 0049-0050 and 0064-0066, Fig. 4), corresponding to information on the devices installed in the intranet of a user (paragraphs 0049-0050 and 0064-0066, Fig. 5).

However, Zhao does not explicitly teach wherein said application service module automatically requests said list of registered applications from said service providing server, at a predetermined interval, wherein said application service module collects information on said client devices on the intranet; and a service agent which determines a list of collected applications from said list of applications based on the collected information on said client devices, the list of collected applications comprising applications which are appropriate for the client devices on said intranet, wherein the

selected application is selected from the list of collected applications. Donohue teaches wherein said application service module automatically requests said list of registered applications from said service providing server, at a predetermined interval (column 10, lines 15-45, Fig. 4), wherein said application service module collects information on said client devices on the intranet (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4); and a service agent which determines a list of collected applications from said list of applications based on the collected information on said client devices (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), the list of collected applications comprising applications which are appropriate for the client devices on said intranet (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), wherein the selected application is selected from the list of collected applications (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the features as taught by Donohue in the system of Zhao because both are from the same field of endeavor and in order to automatically obtain, distribute, and install appropriate software updates (see abstract).

11. Regarding claim 14, Zhao disclosed an application registration step for registering applications for home network devices in a service-providing server (paragraphs 0049-0050 and 0064-0066, Fig. 4), said applications provided from service developers (paragraphs 0049-0050 and 0064-0066); and an application providing step for providing an application according to information on the devices installed in the intranet of a user (paragraphs 0049-0050 and 0064-0066, Fig. 5).

However, Zhao does not explicitly teach wherein said list of registered applications is automatically requested at a predetermined interval, by a service agent; an information collecting step for collecting information on said client devices on the intranet; a determining step for determining applications which are appropriate for said client devices on the intranet, based on the collected information on said client devices, to generate a list of determined applications, wherein the selected application is selected from the list of determined applications. Donohue teaches wherein said list of registered applications is automatically requested at a predetermined interval (column 10, lines 15-45, Fig. 4) by a service agent (column 10, lines 15-45, Fig. 4); an information collecting step for collecting information on said client devices on the intranet (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4); a determining step for determining applications which are appropriate for said client devices on the intranet (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), based on the collected information on said client devices, to generate a list of determined applications (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), wherein the selected application is selected from the list of determined applications (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the features as taught by Donohue in the system of Zhao because both are from the same field of endeavor and in order to automatically obtain, distribute, and install appropriate software updates (see abstract).

12. Regarding claims 15, 19, and 23, Donohue disclosed wherein the application registration step further comprises storing meta information and a download path for the applications (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), provided from the service developers, in a database (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4).

13. Regarding claims 16, 20, and 24, Zhao disclosed comparing the list of searched applications with information on the client devices collected through an intranet gateway of the user (paragraphs 0049-0050 and 0064-0066, Fig. 4); selecting only applications appropriate for the intranet of the user from the list of searched applications based on the comparison results (paragraphs 0049-0050 and 0064-0066, Fig. 4); and providing a list of the selected applications to the user (paragraphs 0049-0050 and 0064-0066, Fig. 4).

However, Zhao does not explicitly teach an application selected from a list of registered applications where the user makes the selection from the list. Donohue teaches teach an application selected from a list of registered applications where the user makes the selection from the list (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4). It would have been obvious to include the features as taught by Donohue in the system of Zhao because both are from the same field of endeavor of registering applications over a network and in order in order to automatically obtain, distribute, and install appropriate software updates (see abstract).

14. Regarding claims 17, 21, and 25, Donohue disclosed downloading applications to and executing the downloaded applications in the intranet gateway of the user

(column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), allowing the user to utilize a relevant service (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4).

15. Regarding claim 18, Zhao disclosed an application search step for accessing a service-providing server in which applications for client devices on the intranet are registered (paragraphs 0049-0050 and 0064-0066, Fig. 5), said applications provided from service developers, and searching a list of the registered applications (paragraphs 0049-0050 and 0064-0066, Fig. 4); and an application providing step for providing the list of searched applications selected in accordance with an intranet environment of a user (paragraphs 0049-0050 and 0064-0066, Fig. 4).

However, Zhao does not explicitly teach wherein said list of registered applications is automatically requested at a predetermined interval, by a service agent; an information collecting step for collecting information on said client devices on the intranet; a determining step for determining applications which are appropriate for said client devices on the intranet, based on the collected information on said client devices, to generate a list of determined applications, wherein the selected application is selected from the list of determined applications. Donohue teaches wherein said list of registered applications is automatically requested at a predetermined interval (column 10, lines 15-45, Fig. 4) by a service agent (column 10, lines 15-45, Fig. 4); an information collecting step for collecting information on said client devices on the intranet (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4); a determining step for determining applications which are appropriate for said client devices on the intranet

(column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), based on the collected information on said client devices, to generate a list of determined applications (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), wherein the selected application is selected from the list of determined applications (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the features as taught by Donohue in the system of Zhao because both are from the same field of endeavor and in order to automatically obtain, distribute, and install appropriate software updates (see abstract).

16. Regarding claim 22, Zhao disclosed an application registration step for registering applications for client devices on the intranet in a service-providing server (paragraphs 0049-0050 and 0064-0066, Fig. 5), said applications provided from service developers: an application search step for accessing the service-providing server and searching a list of the registered applications: an application list providing step for selecting the list of searched applications in accordance with an intranet environment of a user and providing the list of selected applications to the user (paragraphs 0049-0050 and 0064-0066, Fig. 4).

However, Zhao does not explicitly teach wherein said list of registered applications is automatically requested at a predetermined interval, by a service agent; an information collecting step for collecting information on said client devices on the intranet; a determining step for determining applications which are appropriate for said client devices on the intranet, based on the collected information on said client devices,

to generate a list of determined applications, wherein the selected application is selected from the list of determined applications. Donohue teaches wherein said list of registered applications is automatically requested at a predetermined interval (column 10, lines 15-45, Fig. 4) by a service agent (column 10, lines 15-45, Fig. 4); an information collecting step for collecting information on said client devices on the intranet (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4); a determining step for determining applications which are appropriate for said client devices on the intranet (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), based on the collected information on said client devices, to generate a list of determined applications (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4), wherein the selected application is selected from the list of determined applications (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the features as taught by Donohue in the system of Zhao because both are from the same field of endeavor and in order to automatically obtain, distribute, and install appropriate software updates (see abstract).

17. Regarding claim 27, Donohue disclosed wherein the service agent is connected to each of the client devices installed on the intranet (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4).

18. Regarding claim 28, Donohue disclosed wherein the selected application is an upgrade for at least one of the client devices installed on the intranet (abstract).

19. Regarding claim 29, Donohue disclosed wherein the selected application allows at least one of the client devices installed on the intranet to provide a new service that was previously not provided (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4).

20. Regarding claim 30, Donohue disclosed wherein the service-providing server provides the list of registered applications to the service agent (column 10, line 59 – column 11, line 20 and column 11, lines 45-65, Fig. 4).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRADFORD F. FRITZ whose telephone number is (571)272-3860. The examiner can normally be reached on 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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